

LAW OFFICES

**DRAKEFORD & KANE LLC**

ATTORNEYS • CONSULTANTS

475 PARK AVENUE SOUTH, 15<sup>TH</sup> FLOOR, NEW YORK, NY 10016

TELEPHONE 212 696-0010

TELEFAX 212 696-0070

www.drakefordkane.com

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WRITER'S DEMAND IS OF  
(212) 696-0010  
skane@drakefordkane.com

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August 29, 2007

**VIA FACSIMILE TRANSMISSION**

Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
Room 2210  
New York, New York, 10007  
Attn: Hon. William H. Pauley, III

Re: Techland, et al v. Does  
Case No. 07CV6583(WHP)

Dear Hon. William H. Pauley, III:

This letter is being sent in advance of the scheduled conference on Friday, August 31<sup>st</sup>, 2007 in the above matter. Since the action *sub judice* and the motion for expedited discovery were filed, my office has been in communication with a representative in the legal department of AOL. From the discussions it seems likely that AOL will be providing the required information without the need for this Court to opine on our current motion. While this seems to be the likely outcome, the process has taken longer than anticipated due to a severe illness and resulting surgery that the AOL representative has undergone which has resulted in her being out of the office for several weeks. All of this being said, it is expected that whether it will be necessary to obtain Your Honor's intervention in this matter will be fully determined in a matter of the next few weeks. As I appreciate the inherently busy nature of Your Honor's schedule, especially due to the upcoming holiday weekend, I am sending this letter in order to inform the Court of the current status of this matter. To avoid taking any more of the Court's time on a matter that may ultimately be resolved shortly between the relevant entities, I would suggest that the conference this Friday be adjourned for several weeks. However, obviously if Your Honor would prefer to hold this conference for the purposes of deciding the outstanding motion in an expeditious manner, we will be more than happy to appear.

Should you have any questions or concerns please do not hesitate to contact me.

Application granted. The conference will  
be on October 5, 2007 at 12:15 p.m.  
SO ORDERED:

  
WILLIAM H. PAULEY III U.S.D.J.

8/31/07

Sincerely,

  
Sean F. Kane